



UNITED STATES PATENT AND TRADEMARK OFFICE
Docket No. 13160US03

In the Application of:

Wang

Serial No.: 09/824,491

Filed: April 2, 2001

For: Method for Generating Transform Rules
for Web-Based Markup Languages

Examiner: Basehoar, Adam L.

Group Art Unit: 2178

Confirmation No.: 9379

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Joseph M. Butscher
Reg. No. 48,326

Date: August 2, 2005

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Applicants request review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reasons stated on the attached sheets

Respectfully submitted,

Date: August 2, 2005

By: _____

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REMARKS

The present application includes pending claims 1-22, all of which have been rejected. The Examiner has maintained the rejection of claims 1-22 under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 6,278,449 (Sugiarto) in view of United States Patent No. 6,430,624 (Jamtgaard) and United States Patent No. 5,481,710 (Keane).

I. The Combination Of Sugiarto, Jamtgaard, And Keane Does Not Teach Each And Every Limitation Recited In The Claims

A. Sugiarto Does Not Teach, Nor Suggest, "Recording User Actions For Arranging The Elements On The Source Page And The Template Page"

The Applicants respectfully maintain that Sugiarto does not teach, nor suggest, "recording user actions for arranging the elements on the source page and the template page." Instead, Sugiarto merely saves portions of websites onto a particular screen such that a user can configure a home screen that will display information from websites of interest. *See* Amendment Under 37 C.F.R. 1.111 filed March 9, 2005 at 7-8, and Response Under 37 C.F.R. 1.116 filed July 8, 2005 at 2-3. While Sugiarto describes that a user may "manipulate" a portion of a website to be saved, Sugiarto does not teach or suggest that the various user actions are "recorded for arranging elements on the source page and the template page." *See* Response Under 37 C.F.R. 1.116 filed July 8, 2005 at 2-3. There is nothing in the portions of Sugiarto that the Office Action relies on (i.e., column 6, lines 10-40, and column 7, line 55 to column 8, line 30) that teach or suggest "recording user actions for arranging the elements on the source page and the template page," in order to support unlimited redo/undo tasks. *See id.*

B. Sugiarto Does Not Teach, Nor Suggest, "Generating The Set Of Transform Rules For the Source Page According To The Source Page URL"

Sugiarto merely discloses a method of gaining access to a webpage, namely, typing in a URL address. *See* Amendment Under 37 C.F.R. 1.111 filed March 9, 2005 at 8-9, and Response Under 37 C.F.R. 1.116 filed July 8, 2005 at 4-5. Sugiarto, however, does not teach, nor suggest, "generating the set of transform rules for the source page according to the source page URL...." *See id.* The Examiner has not explained how merely gaining access to a website equates to "generating the set of transform rules for the source page according to the source page URL."

C. Jamtgaard Does Not Teach, Nor Suggest, “Generating The Set Of Transform Rules For The Source Page According To... The XSLT”

The Examiner cites Jamtgaard column 2, lines 12-17 to overcome Sugiarto’s lack of “generating XSLT from the generated chains and thus generating the transform rules in part from the XSLT.” *See, e.g.*, June 3, 2005 Office Action at page 3. This passage merely states that XML permits formatting of HTML or XML web pages to different formats, but does not teach or suggest “generating the set of transform rules for the source page according to... the XSLT.” *See* Amendment Under 37 C.F.R. 1.111 filed March 9, 2005 at 9-10, and Response Under 37 C.F.R. 1.116 filed July 8, 2005 at 5.

II. One Having Ordinary Skill In The Art Would Not Be Motivated To Combine The References

The Applicants respectfully submit that the attempt to pick and choose isolated elements from Jamtgaard and Keane and shoehorn them into Sugiarto ignores the references in their entirety and is therefore improper. *See* Amendment Under 37 C.F.R. 1.111 filed March 9, 2005 at 10-11, and Response Under 37 C.F.R. 1.116 filed July 8, 2005 at 6-8. For example, there simply is no teaching or suggestion in Sugiarto to combine it with Keane to arrive at “recording user actions onto at least two stacks,” and “using the at least two stacks as the basis for supporting the user actions.” *See id.*

III. Traversal Of Perceived Assertion Of Official Notice

The Applicants traversed various perceived assertions of Official Notice. *See* Amendment Under 37 C.F.R. 1.111 filed March 9, 2005 at 12-14. In response, the Examiner merely cited examples of single keystroke copy, paste and cut. *See* June 3, 2005 Office Action at page 9. The Office Action, however, does not explain how each of the examples in the attached Microsoft Word document are necessarily performed with **a single user action** including a keystroke.

In fact, in the Advisory Action, the Examiner effectively admits that multiple user actions are taking place in order to “move a source element to an absolute position.” *See* July 26, 2005 Advisory Action at Continuation page (“The one user action included **both** a cut and paste keystroke.”). As such, the Examiner admits to multiple operations in order to “move a source

element to an absolute position.” Multiple operations, i.e., first cutting **and** then pasting, substituting for “moving a source element to an absolute position,” are clearly not a single user action.

While, the Office Action shows cutting and pasting, two separate and distinct actions performed by two separate and distinct operations, the Office Action does not explain how this is performed with **one** user action. For example, while page 4 of the cited Microsoft document shows a “source element” moved to a different position, there is nothing in the screen shot to lead one to believe that such movement was carried out by **one** user action including a keystroke. Thus, the Applicants respectfully maintain the traversal of the perceived assertion of Official Notice, as delineated at pages 12-14 of the Amendment filed March 9, 2005, and submit that the subject matter is not of such “notorious character” that it is “capable of instant and unquestionable demonstration as being well-known.”

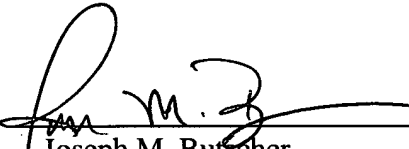
III. Conclusion

In view of the foregoing, it is respectfully submitted that pending claims of the present application define allowable subject matter. The Applicants respectfully request reconsideration of the claim rejections. Please charge any fees or credit overpayment to Deposit Account 13-0017.

Respectfully submitted,

Date: August 2, 2005

By: _____


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